



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

February 9, 2022

VIA CM/ECF

The Honorable Paul G. Gardephe
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: United States v. Alexei Saab, 19 Cr. 676 (PGG)

Dear Judge Gardephe:

The Government respectfully writes to update the Court on (1) the defendant's access to counsel and (2) the trial date in this matter.

First, the Bureau of Prisons has informed the Government that the defendant's housing unit is no longer in quarantine due to COVID-19. As such, once the current MDC lockdown is lifted, counsel will be able to visit with the defendant in-person. Any visits from counsel are in addition to video teleconferences and telephone calls which remain available to the defense. In addition, the defendant has access to all 3500 material produced to date on the laptop he has at his prison facility.

Second, the Government writes with respect to the trial date in this matter. At the last conference in this case, the Court set a control date of April 18, 2022, and the parties agreed to confer about their availability during the second quarter of 2022 and update the Court accordingly. (See 4/18/22 Tr. at 41-42). The Government writes to inform the Court that the control date of April 18, 2022 conflicts with a pre-existing trial that one of the undersigned AUSAs is scheduled to start on April 25, 2022 before Judge Woods, and that the April 18 date also presents additional scheduling complications for the Government and one witness due to the Passover holiday (which extends from April 15 through April 23). Defense counsel has other conflicts throughout May, but the parties are both available to start trial on June 27, 2022, if that date is amenable for the Court. While defense counsel has informed the Government that it is available to start trial on this date, the defense takes no position on this specific request.

MEMO ENDORSED

As the parties know, this Court has not received approval to try this case on April 18, 2022 or any other date in the second quarter of 2022. Nonetheless, in light of the years defendant has spent in pretrial detention, this Court intends to proceed to trial at the earliest date a courtroom is available. Accordingly, to the extent that the government is to obtain trial to June 27, 2022, the government is denied.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

By: /s/

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Paul G. Gardephe, U.S.D.J.

Dated: Feb 9, 2022